

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. Appln. No. 10/058,189

REMARKS

Status of the Claims

Claims 1-29 are all the claims pending in the application.

Declaration from Jonathan Goldstone

Applicant has submitted a declaration under 37 C.F.R. § 131 from the inventor of this application, Jonathan Goldstone. U.S. Publication No. 2005/0009502 (hereinafter “Little”) claims priority to U.S. Provisional Application No. 60/330,608 (“the ‘608 Application”). As evidenced by the declaration and attached exhibits, the invention as described and claimed in the present application was completed at least by October 10, 2001, prior to the October 25, 2001 filing date of the ‘608 Application. Thus, Little does not qualify as prior art under 35 U.S.C. § 102(e).

Rejections Under 35 U.S.C. § 102

Claims 1-29 were rejected under 35 U.S.C. § 102(e) as being anticipated by Little. In view of the declaration of Jonathan Goldstone submitted herewith, Little does not qualify as prior art under 35 U.S.C. § 102(e). Accordingly, withdrawal of this rejection is respectfully requested.

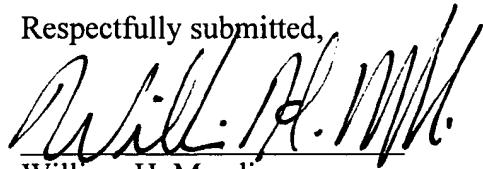
Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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